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The State of Texas
OFFICE OF THE ATTORNEY GENERAL OF TEXAS
Austin

Gerald C. Mann
Attorney General

Honorable Frank D. Quinn
Executive Secretary
Texas State Parks Board
Austin, Texas

Dear Sir:

Opinion No. 0-3506
Re: Use by State Parks Board
of State Park Fund to sub-
scribe to magazines dealing
with the administration of
State parks.

We have your letter of May 3, 1941, requesting the opinion of this department upon the question whether you are permitted to use money from the State Parks Fund for subscriptions to various recreational magazines which deal with the administration of State parks.

The appropriation provided by the Legislature for the current biennium (Senate Bill 427, Acts 46th Leg.,) contains the following items;

"Maintenance and Miscellaneous:

"1. Stationery, printing, equipment, supplies, telephones, postage, rent, and contingent
..... \$4,000.00.

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"All of the previous annual balance in the special park fund and all future receipts deposited in the special park fund are hereby appropriated and re-appropriated for each year of the biennium for maintenance and improvement of the State parks. Provided, however, the State Parks Board shall not have the authority to employ any additional help out of said receipts except seasonal help. All maintenance items

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may be supplemented with Federal funds."

If the material contained in the publications to which you refer is of such a nature that it will be helpful to you in discharging your duty to provide for the maintenance and improvement of the State parks under your jurisdiction, you are advised that the subscriptions may be bought and paid for out of either of the items of appropriation above quoted. The use of the word "maintenance", in the rider appropriating the Special Parks Fund, renders the appropriation broad enough to cover those items of expenditure which may be required in order to keep the Board advised concerning the best means and methods for improving and maintaining State parks, as developed from the experience of others, for the duty and the authority to maintain and improve necessarily involves the duty and authority to formulate plans and prescribe the methods by which such maintenance and improvement are to be done. See our opinions Nos. 0-2540, 0-1885, 0-2211, and 0-1990, copies of each of which are enclosed herewith.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By /s/ R. W. Fairchild
R. W. Fairchild
Assistant

RWF:LM

ENCLOSURES

APPROVED MAY 14, 1941

/s/ Grover Sellers

FIRST ASSISTANT
ATTORNEY GENERAL